

**Town of Odessa**  
**MINUTES FROM THE REGULAR TOWN COUNCIL MEETING**  
**MONDAY, FEBRUARY 5, 2007 - 7:00 PM**  
**OLD ACADEMY BUILDING**

Those present at 7:00 PM:

Mayor Kathy Harvey  
Council Member Karlyn Grant  
Council Member Betts Jackson  
Council Member Cindy Williams

Treasurer James Grant  
Secretary Jessica Norton

7 community members

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- I. Call to Order and Pledge of Allegiance- The meeting was called to order at 7:00 PM.
- II. Roll Call- Mayor Harvey reported that she had not heard from Mr. Freeman.

**MOTION BY CINDY WILLIAMS, SECONDED BY KARLYN GRANT: TO EXCUSE JOHN FREEMAN.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

*Let the record show that John Freeman phoned the office around 7:15 PM to say that he had been unexpectedly delayed.*

- III. Delaware State Police Report- The report was read by Lieutenant Logan and is attached hereto as Attachment B. Lt. Bailey has been transferred to Dover and will be replaced by Lt. Jeff David. Lt. Logan encouraged residents to report any incidents around Town. Mayor Harvey requested attention to the building site on Tatman Alley where residents have reported seeing kids in and around the structure.
- IV. Approval of Minutes
  - A. Regular Meeting 12/4/06

**MOTION BY KARLYN GRANT, SECONDED BY BETTS JACKSON: THAT THE MINUTES FROM THE REGULAR MEETING OF MAYOR AND COUNCIL ON DECEMBER 4, 2006 BE ACCEPTED.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

- V. Correspondence
  - A. DelDOT Transportation Plan on hold
  - B. Cliff Hearn- opinion on Ordinance 2006-5 discussed under Old Business
  - C. DelDOT- road repairs planned
- VI. Treasurer's Report- Treasurer Jim Grant read the Balance Sheet and Profit & Loss Budget Performance, attached hereto as attachments C and D respectively. Mr. Grant also reported that Delaware League of Local Governments has introduced a bill to raise municipal street aid funds back to the amount prior to DelDOT cutbacks.

**MOTION BY CINDY WILLIAMS, SECONDED BY BETTS JACKSON: TO ACCEPT THE TREASURER'S REPORT.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

- VII. Commission Reports
  - A. Planning- signed the agreement with University of Delaware and will meet on February 15<sup>th</sup>.
  - B. Historic- working on amendments to the Zoning ordinance
  - C. Trees- tree work continues under grant

- VIII. Old Business
  - A. Appointments- Trees Commission

**MOTION BY KARLYN GRANT, SECONDED BY BETTS JACKSON: TO APPOINT NEEKA GROVE TO THE TREE COMMISSION.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

- B. Diemler Street Transfer Legal Costs- Mayor Harvey and Mr. Kielkopf will meet with Cliff Bakhsh to discuss the requirements for transfer.
    - C. Ordinance 2006-6; An ordinance to adopt the Historic Guidelines

**MOTION BY BETTS JACKSON, SECONDED BY KARLYN GRANT: TO ADOPT THE HISTORIC GUIDELINES FOR THE TOWN OF ODESSA.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

- D. Ordinance 2006-5; Amendments to Zoning Ordinance 97-1 Creating Restricted Downtown Commercial and Non-Profit Estate Districts- Mayor Harvey reported that everyone who attended the public hearing were in favor of the amendments. She read a letter, attached hereto as Attachment E, from Town Solicitor Cliff Hearn, discussing his opinions as she went along. Alcohol sales were not addressed in the draft amendment. Mayor Harvey said that the Historic Odessa Foundation

would be grandfathered in, and that the Planning Commission suggested permitting alcohol as a special exception and recommended eliminating package stores. Council agreed to add Sections 83.5 and 84.5 to allow alcohol by special exception as determined by the Board of Adjustment. Council also added the term, “by resolution,” to clarify Sections 83.1 and 84.1 and “other similar crafts” to subsections 6 and 12. Council decided to leave “fairs and festivals” alone as all uses have to be approved by Council resolution. Mayor Harvey read the Ordinance with the changes.

**MOTION BY BETTS JACKSON, SECONDED BY KARLYN GRANT: TO ADOPT ORDINANCE 2006-5 CREATING RESTRICTED DOWNTOWN COMMERCIAL AND NON-PROFIT ESTATE DISTRICTS AS AMENDED.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

- IX. New Business  
A. Mosquito Control

**MOTION BY KARLYN GRANT, SECONDED BY CINDY WILLIAMS: TO SIGN THE MOSQUITO CONTROL AGREEMENT WITH DNREC, EXCLUDING THE TULLOCH PROPERTY.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

*Action: Jessica Norton will mail the contract and map.*

- B. Resolution 2007-1; A resolution in support of amending Title 7 of the Delaware Code relating to conservation

**MOTION BY CINDY WILLIAMS, SECONDED BY KARLYN GRANT: TO PASS RESOLUTION 2007-1 IN SUPPORT OF AMENDING TITLE 7 OF THE DELAWARE CODE.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

- C. Appointments-Board of Elections- The Town Secretary and the Board of Elections looked over the new election law, which will take effect in July 2007, to anticipate costs.

**MOTION BY CINDY WILLIAMS, SECONDED BY KARLYN GRANT: TO REAPPOINT CAROLE COLEMAN, JOAN MASON, AND CONNIE MILLER.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

- X. Next Meeting's Date and Time: March 5, 2007 7:00PM

XI. Adjournment

Karlyn Grant reminded Council of the Odessa Fire Company's upcoming 80<sup>th</sup> anniversary celebration and suggested sending a congratulatory letter.

**MOTION BY KARLYN GRANT, SECONDED BY BETTS JACKSON:  
THAT THE MEETING BE ADJOURNED.**

**MOTION CARRIED. VOTE: 4 AYE, 0 NAY**

The meeting adjourned at 8:30 PM.

Minutes Approved: \_\_\_\_\_